

# Exhibit 1

Law Offices of  
**MICHAEL W. CARMEL, LTD.**  
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**UNITED STATES BANKRUPTCY COURT  
 DISTRICT OF NEVADA**

In re:

Case# 25-10341

NUMALE CORPORATION,

Chapter 11

AFFECTS THIS DEBTOR ☐

*Jointly administered with:*

AFFECTS FELICIANO  
 NUMALE NEVADA PLLC ☐

In re Feliciano NuMale Nevada PLLC,  
 25-10342

AFFECTS NUMEDICAL  
 SC ☐

In re NuMedical SC,  
 25-10343

AFFECTS NUMALE  
 COLORADO SC ☐

In re NuMale Colorado SC,  
 25-10344

AFFECTS NUMALE  
 FLORIDA TB PLLC ☐

In re NuMale Florida TB PLLC  
 25-10345

AFFECTS NUMALE  
 NEBRASKA ☐

In re NuMale Nebraska,  
 25-10346

AFFECTS NUMALE  
 NEW MEXICO ☐

In re NuMale New Mexico,  
 25-10347

AFFECTS ALL DEBTORS ☒

Debtors.

**VERIFIED STATEMENT**

I, MICHAEL W. CARMEL, declare under penalty of perjury:

1. I am submitting myself for consideration for appointment as a chapter 11 trustee in these cases, and I execute this declaration pursuant to FRBP 2007.1.

2. As set forth in detail in Paragraph 15 herein, I am confirming my status as a disinterested person as that phrase is defined in 11 U.S.C. §101(14).

3. In furtherance of my request to be considered, I include a recent resume with this declaration.

4. By appointment of the Office of the United States Trustee, Department of Justice, I am currently serving on the panel of Subchapter V, Chapter 11 Trustees for the United States Bankruptcy Court, District of Arizona since February, 2020. For more than thirty (30) years, I have served as a court-appointed Trustee in various Chapter 11 cases in the United States Bankruptcy Court for the District of Arizona, and one Chapter 11 case in the District of Nevada. On page 4 of my CV, a copy of which is attached hereto and incorporated herein by this reference, I list the case *Canyon Communications Corporation*. In that case I advised the Chapter 11 Trustee in the operation of two radio stations and ultimately the sale of those stations along with the FCC licenses. On page 2 of my CV I listed the case *ANMP*, where I was counsel to Mr. Sell when he was the Receiver, and then advised him when he filed Chapter 11 petitions for each of those entities. On page 3 of my CV, I listed the case *Mathon Fund, LLC*. This was another Ponzi scheme case which started with a state court appointed Receiver. I advised the Receiver during the state court case, and ultimately a decision was made to file Chapter 11 Petitions, where I was co-counsel for the debtor entities.

5. I am experienced in the financial, operational, and tax aspects of bankruptcy cases, including the filing of monthly operating reports.

1           6.       I have been appointed Trustee in bankruptcy cases on multiple occasions. A  
2 representative list of such cases is set forth in the attached resume.

3           7.       I am familiar with the U.S. Trustee guidelines and handbook and have for many  
4 years cooperated with the United States Trustee, including the filing of periodic reports.

5           8.       When not compensated on a commission basis pursuant to 11 U.S.C. §326, my  
6 hourly rate is \$700.00. I am aware of the “cap” on Trustee compensation under 11 U.S.C. §326,  
7 and agree to be bound by such limits. Although my normal hourly rates may increase during the  
8 term of these cases, I agree that my hourly rate will be fixed throughout the term of these cases.  
9 I understand that all compensation must be approved by the Court.  
10

11           9       I have previously served as a Chapter 11 and Chapter 7 Trustee, and I am currently  
12 eligible to serve in such capacity.  
13

14           10.     I have submitted to several background checks conducted by the Federal Bureau  
15 of Investigation during the course of my appointment(s) as a Trustee. The most recent  
16 background check was completed in early 2020, when I was appointed to the panel of Subchapter  
17 V Trustees.  
18

19           11.     Although I am an attorney, I will not be hiring my own firm in these cases. I  
20 anticipate hiring counsel to represent me should I be appointed in this case, and would require  
21 such counsel to provide a conflict check, and assert their status prior to their employment. At the  
22 time of this writing, I have had a very preliminary discussion with Mr. Greg Garman of the law  
23 firm Garman, Turner and Gordon. Mr. Garman has offices in Las Vegas, Nevada.  
24

25           12.     I understand that the employment of all professionals is subject to court approval,  
26 and that all professionals must comply with 11 U.S.C. §327, including retention requirements  
27 and the disclosure of standard rates.  
28

          13.     I am a sole practitioner and will not be hiring any independent contractors.

16. Based on the information I have reviewed in this matter, including a review of the Court docket, I do not believe I have any conflicts. If anything changes in that regard I will so inform the Court, the Office of the United States Trustee, and other interested parties.

Date: March 31, 2025

/s/ Michael W. Carmel  
Michael W. Carmel  
Chapter 11 Trustee Candidate

Law Offices of  
**MICHAEL W. CARMEL, LTD.**  
80 East Columbus Avenue  
Phoenix, Arizona 85012-2334

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Email [michael@mcarmellaw.com](mailto:michael@mcarmellaw.com)

Born: Chicago, IL  
November 5, 1957

**EXPERIENCE**

Law Offices of Michael W. Carmel, Ltd. – February 1986 – Present

Practice has emphasized all areas of bankruptcy, including Chapter 11 Trustee, Liquidating Plan Trustee, representation of trustees, debtors, creditors' committees, secured creditor, and examiners. Bankruptcy work has included several appeals to the Ninth Circuit Bankruptcy Appellate Panel, District Court, and Ninth Circuit Court of Appeals. Representation of Receivers.

Associate, Lee, Theisen & Eagle – October 1982 – February 1986

Civil litigation with emphasis on contract law, later moving into bankruptcy.

**MAJOR CASES/REPRESENTATIONS**

- State Court Appointed Receiver, *Luv 2 Play Indoor Playgrounds; Universal Entertainment*
- Counsel to State Court Receiver, *Steel v. Steel*
- Counsel to State Court Receiver, and Special Bankruptcy Counsel for James Sell, State Court Receiver/Designated Representative for *ANMP* and 100-plus related entities. Assisted in process of recovering proceeds on \$25 million-plus Ponzi scheme. Representing *ANMP* in the *Dexter Distributing* bankruptcy case to collect on a \$14 million claim

- Counsel to State Court Receiver, *In re Mathon*, and Special Bankruptcy Counsel, *Mathon Fund, LLC* consolidated cases. Responsible for resolving \$77 million Ponzi scheme. Have worked on selling assets around the country, including environmentally sensitive real estate.
- Chapter 11 Trustee, *In re Salus Medical, LLC*; Operated a Pharmaceutical company and sold assets, Company lost a DEA license
- Chapter 11 Trustee, *In re Santa Clarita, LLC*, the largest remaining parcel of undeveloped land in Los Angeles County, California, had significant environmental issues, sold for \$140,000,000 Counsel to *Children's Learning Adventure*, successful defense of effort to appoint State Court Receiver
- Chapter 11 Trustee, *In re Silver State Broadcasting, et al.*; Operated several radio stations, resolved numerous issues with FCC, and sold assets at court-approved auction and Confirmed Plans of Reorganization
- Debtors' Counsel, *In WVSF Holdings, LLC*, Chapter 11 Reorganization of \$200 Million real estate development.
- Chapter 11 Trustee, *LaSalle Residential Holdings Corporation*, managing and operating a 340-unit apartment complex.
- Independent Manager/Board member, *Legacy Fund II*, Independent manager for several single-purpose entities of \$1 billion real estate fund which owned more than 30 commercial buildings throughout the western United States.
- Chapter 11 Trustee, *In re Silver State Broadcasting, LLC, et al.*, operated three radio stations -Las Vegas; San Francisco and Palm Springs until the stations could be sold
- Trustee Counsel, *In re Athena Medical Group, LLC*, skin grafting company-SubChapter V Trustee had expanded powers
- Trustee Counsel, *In re Joseph Manzella*; individual who operated several restaurants. Chapter 11 Trustee appointed to recover assets
- Chapter 11 Trustee, *In re Mesa Terrace Homeowners Association, LLC*. Appointed Trustee to run (86) unit condominium association, and manage litigation against former Board member
- Counsel, *Fulton Home Sales Corporation*, in connection with *In re Fulton Homes Corporation*, and restructuring \$164 million debt facility.

- Liquidation and Plan Trustee, *Crown Pacific* consolidated cases. Creditor claims exceeded \$500 million. Responsible for distribution of approximately \$100 million to creditors, and sale of variety of assets in large timber case.
- Debtors' Counsel, *In re David and Karina Zowine*, \$25 Million adverse judgment; Confirmed Plan of Reorganization.
- Debtors' Counsel, *In re Medical Diagnostic Imaging Group, LTD., et al*; pending Chapter 11 of radiology practice
- Debtors' Counsel, *In re Advanced Green Innovations, LLC, et al.*; Confirmed Plan of Reorganization, \$200 Million fraud conversion of debt to equity
- Debtors' Counsel, *In re Paramount Building Solutions, et al.*, Successful Section 363 sale of cleaning supplies business, and confirmed Chapter 11 Plan of Reorganization.
- Debtors' Counsel, *In re Children's Learning Adventures, SPE, et al.*, Chapter 11 cases involving 20+ Early Children's Education facilities.
- Debtors' Counsel, *In re Desert Ribs, et al.*, Successful Section 363 Sale of (4) Famous Daves' restaurants.
- Chapter 11 Trustee, *N-Genuity Enterprises, Inc.*, \$30 million company which supplies food products to the military overseas.
- Co-Counsel for Debtor, *In re Bashas', Inc.*, Chapter 11 reorganization of \$250 million in in creditor claims.
- Liquidating and Plan Trustee, *Phoenix Coyotes* bankruptcy proceedings in confirmed Chapter 11 Plan.
- Debtors' Counsel, four (4) *Danny's Family Car Wash* entities.
- Chapter 11 Trustee and Chapter 7 Trustee, *In re Thomas Hantges*, District of Nevada (Las Vegas). Hantges was a principal of USA Commercial Real Estate Group, which was a Ponzi scheme in excess of \$600 million.
- Counsel for Unsecured Creditors' Committee, *In re Taro Properties Arizona, LLC*.



- Liquidation Trustee and Attorney for Trustee, *Styling Technology Corporation* consolidated cases. Handled \$8 million in creditors' claims, and prosecuted malpractice claim against Arthur Andersen.
- Liquidation and Plan Trustee, *Hi-Rise Recycling* consolidated cases.
- Counsel for Microsoft Corporation, *In re MicroAge* consolidated cases.
- Special Counsel for Plan Trustee, *Boston Chicken* consolidated cases. Represented Plan Trustee in pursuit of twenty-plus avoidance actions against law firms, accounting firms, and various trade vendors.
- Special Counsel for Liquidating Plan Trustee, *Baptist Foundation of Arizona* consolidated cases.
- Chapter 11 Trustee, *Cameo Development Co.* Handled liquidation of assets, as well as claims against insurance company for bad faith.
- Chapter 11 Trustee, *Freckles I, Freckles II* and *Freckles III* consolidated cases.
- Debtor's counsel, *Conley D. Wolfswinkel*, largest individual Chapter 11 case in the District of Arizona. The case involved real estate holdings exceeding \$100 million, and resolving two (2) separate claims, each exceeding \$1 billion. One claim was asserted by the Resolution Trust Corporation, and the other by bondholders of Lincoln Savings & Loan. Mr. Wolfswinkel was also prosecuted by the federal government.
- Debtor's counsel, *Bobby McGee's U.S.A., Inc.* and related subsidiaries.
- Creditors' Committee Counsel, *RDS Acquisition Corp.* (After confirmation, acted as attorney for Disbursing Agent.)
- Trustee's Counsel, *Canyon Communications Corporation*. (Assisted Trustee in sale of real estate and radio stations.)
- Chapter 11 Trustee, *In re Larry's Apartment, LLC*. (Managed adult nightclub and oversaw major 37-day trial over ownership rights in land.)

### **PUBLISHED DECISIONS**

- *In re GTI Capital Holdings, LLC*, 2010 WL 3938178 (9<sup>th</sup> Cir. Oct. 08, 2010)
- *In re Bashas' Inc.*, 437 B.R. 874 (Bankr.D.Ariz. Aug. 13, 2010)
- *In re Bashas' Inc.*, 2010 WL 2836982 (D.Ariz. Jul. 15, 2010)

- *Sternberg v. Johnston*, 595 F.3d 937 (9<sup>th</sup> Cir. Ariz. Feb. 08, 2010)
- *In re Weinberg*, 410 B.R. 19 (9<sup>th</sup> Cir. BAP Cal. Jul. 31, 2009)
- *In re Gosnell Development Corp. of Ariz.*, 331 Fed.App. 440 (9<sup>th</sup> Cir. Ariz. May 07, 2009)
- *In re Dexter Distributing Corp.*, 2008 WL 4865209 (Bankr.D.Ariz. Oct. 30, 2008)
- *In re Ram Restaurants, Inc.*, 2008 WL 2561890 (Bankr.D.Ariz. June 24, 2008)
- *In re GTI Capital Holdings, LLC*, 2008 WL 961112 (Bankr.D.Ariz. Apr. 04, 2008)
- *In re GTI Capital Holdings, LLC*, 2008 WL 748364 (Bankr.D.Ariz. Mar. 17, 2008)
- *In re BCE West, L.P.*, 2008 WL 565262 (Bankr.D.Ariz. Feb 28, 2008)
- *In re GTI Capital Holdings, LLC*, 373 B.R. 671 (Bankr.D.Ariz. Aug. 02, 2007)
- *In re Gosnell Development Corp. of Arizona*, 2007 WL 1238923 (D.Ariz. Apr. 27, 2007)
- *In re Lyle*, 355 B.R. 161 (Bankr.D.Ariz. Dec. 13, 2006)
- *In re Spectrum Golf, Inc.*, 350 B.R. 857 (Bankr.D.Ariz. Sep. 22, 2006)
- *In re Corporate and Leisure Event Productions, Inc.*, 351 B.R. 724 (Bankr.D.Ariz. Sep. 05, 2006)
- *In re Johnston*, 321 B.R. 262 (D.Ariz. Feb. 11, 2005)
- *In re Coumbe*, 304 B.R. 378 (9<sup>th</sup> Cir. BAP Ariz. Dec. 24, 2003)
- *In re Larry's Apartment, LLC*, 249 F.3d 832 (9<sup>th</sup> Cir. Ariz. Apr. 26, 2001)
- *U.S. ex rel Eitel v. Reagan*, 35 F.Supp.2d 1151 (D.Ariz. Dec. 14, 1998)
- *Matter of Accomazzo*, 226 B.R. 425 (D.Ariz. Oct. 27, 1998)
- *In re Gosnell Development Corp. of Arizona*, 221 B.R. 776 (Bankr.D.Ariz. June 11, 1998)
- *U.S. ex rel Eitel v. Reagan*, 898 F.Supp. 734 (D.Or. Aug. 16, 1995)
- *In re Hashim*, 188 B.R. 633 (Bankr.D.Ariz. Aug. 15, 1995)
- *In re Johns*, 181 B.R. 965 (Bankr.D.Ariz. Apr. 11, 1995)
- *In re Lynn*, 168 B.R. 693 (Bankr.D.Ariz. Feb. 18, 1994)
- *In re Evergreen Ventures*, 147 B.R. 751 (Bankr.D.Ariz. Nov. 24, 1992)
- *In re Al Zuni Trading, Inc.*, 947 F.2d 1403 (9<sup>th</sup> Cir. Oct. 31, 1991)

- *In re Maready*, 122 B.R. 378 (9<sup>th</sup> Cir. BAP Ariz. Jan. 09, 1991)

### **PROFESSIONAL ACTIVITY**

Chair, Committee to Revise Local Bankruptcy Rules, 2005 –2009

Member, Local Rules Advisory Committee, Arizona Bankruptcy Court, 2021-2022

Master, Arizona Inn of Bankruptcy Court, 2011 – 2016

Member, Thurgood Marshall Inn of Court, 1998 – 2002

Lawyer Member – District of Arizona Bankruptcy Judge Merit Selection Committee, 1993

Lawyer Delegate to Ninth Circuit Judicial Conference, 1988 – 1991

Lawyer Delegate to Ninth Circuit Committee on Automation & Technology, February 1991 – 1993

Appointed Subchapter V Trustee by U.S Trustee's Office, Department of Justice, have been appointed in more than (12) cases since SubChapter V became effective

List of Court-approved mediators United States Bankruptcy Court, District of Arizona

### **LEGAL EDUCATION**

Arizona State University College of Law

Juris Doctor, May 1982

### **UNDERGRADUATE EDUCATION**

Arizona State University, B.S. in Business

Accounting Major – May 1979 – Graduated with Honors